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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re U.S. Patent Application  
Michael BALDISCHWEILER et al.

Examiner: Unassigned

Group Art Unit: Unassigned

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Atty. Docket: BALD3012/JEK

For: METHOD FOR PROCESSING A CASHLESS PAYMENT TRANSACTION

**PRELIMINARY AMENDMENT BEFORE EXAMINATION**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**INTRODUCTORY COMMENTS**

Prior to examination of the above-identified application that accompanies this paper, please amend the application as shown below.

**AMENDMENTS**

**AMENDMENTS TO THE CLAIMS**

The amendments to the claims appear in the following pages under the heading "LIST OF CURRENT CLAIMS". The claim listing replaces all previous versions of the claims presented in this application, and indicates any currently presented amendments and the status of each of the listed claims.

The amendments to the claims of this application, which originated in a foreign country, are submitted before examination on the merits and are not intended to have a narrowing effect for the purpose of patentability, but rather are made for one or more of the following reasons: (i) to remove drawing reference numerals unnecessary under U.S. practice; (ii) to remove or reduce multiple dependent claims to reduce the filing fee; (iii) to revise the original language originating in a foreign country to better conform to customary English usage and style for U.S. patent claiming; (iv) to revise original non-U.S. claim terminology into more appropriate English claim terms having a scope of meaning consistent with the original intended language in preparation for U.S. examination; (iv) to remove limitations having an

effect in a foreign country which is different and unintended under U.S. practice (i.e., changing "consisting of" to "comprising"); (v) to remove or amend original claim language that could be regarded as alternative expressions that are acceptable under foreign patent practice but possibly subject to objection under U.S. practice, typically having a broadening or neutral effect in the amended claim; and/or (vi) to improve the clarity or meaning of the original language.

In the case of amendments effectively changing an original claim element expressed as a "means plus function" that could raise a presumption of claim expression under 35 U.S.C. 112, 6<sup>th</sup> paragraph to a structural expression or to an expression removing the presumption of a "means-plus-function" statement, it is not intended to narrow the claim so amended for purposes of patentability, but rather to place the claim in a form considered to be intended by the applicant from a foreign country where claim limitations described in terms of means-plus-function do not have the same effect as under U.S. practice. Thus, such amendments are intended to establish a full range of equivalents to the claim elements so amended under the U.S. doctrine of equivalents and beyond the range associated with "means-plus-function" expressions according to 35 U.S.C. 112, 6<sup>th</sup> paragraph, just as if the claim so amended was presented originally in its amended form.

All rights are reserved to the original disclosed and claimed subject matter and any cancellation of claims is made without prejudice or disclaimer.

**LIST OF CURRENT CLAIMS**

1. (Currently Amended) A method for cashless processing of a transaction for paying for a service~~[[,]]~~ between an owner of a personal electronic means of payment ~~(1, 12)~~ and a payee, comprising the steps: ~~characterized in that~~  
transmitting at a first time (t1) a data record assigned to the service is ~~transmitted~~ from the owner's personal electronic means of payment ~~(1, 12)~~, directly or by means of a personal device (8) of the owner, to an electronic intermediate carrier (2) which is formed as a transferable unit physically separate from the owner's personal electronic means of payment ~~(1, 12)~~, and  
at a second time (t2) which is later than the first time (t1), checking the data record or data derived therefrom ~~are checked~~ by a receiving device (3) of the payee as to whether the service was rendered correctly.

2. (Currently Amended) The method according to claim 1, including the step: transmitting ~~characterized in that~~ the data record or data derived therefrom ~~are transmitted~~ from the electronic intermediate carrier (2) to the payee.

3. (Currently Amended) The method according to claim 1, including the step of securing ~~characterized in that~~ the data record ~~is secured~~ cryptographically.

4. (Currently Amended) The method according to claim 1, wherein any of the previous claims, characterized in that the data record depends on at least one of individual data of the electronic intermediate carrier and ~~(2) and/or~~ a consecutive character string.

5. (Currently Amended) The method according to claim 1, including encrypting any of the previous claims, characterized in that the data record ~~is encrypted~~ by means of a public key of the payee.

6. (Currently Amended) The method according to claim 1, wherein any of the

~~previous claims, characterized in that~~ the data record depends on personal data of the owner of the personal electronic means of payment (1, 12).

7. (Currently Amended) The method according to claim 1, wherein any of the ~~previous claims, characterized in that~~ the data record represents at least one amount of money or at least one unit of value.

8. (Currently Amended) The method according to claim 1, including the step of deleting or invalidating any of the ~~previous claims, characterized in that~~ the data record ~~is deleted or invalidated~~ at the second time (t2) completely or with regard to the data derived therefrom in the electronic intermediate carrier (2).

9. (Currently Amended) The method according to claim 1, wherein any of the ~~previous claims, characterized in that~~ the electronic intermediate carrier (2) is not in the possession of the owner of the personal electronic means of payment (1, 12) at the second time (t2).

10. (Currently Amended) The method according to claim 1, wherein any of the ~~previous claims, characterized in that~~ the data transmission is effected contactlessly at at least one of the first time (t1) and ~~and/or~~ at the second time (t2).

11. (Currently Amended) The method according to claim 1, including the step of using any of the ~~previous claims, characterized in that~~ the cashless payment transaction ~~is used~~ for paying postage for mail (7).

12. (Currently Amended) The method according to claim 11, wherein ~~characterized in that~~ the intermediate carrier (2) is fastened detachably to mail (7).

13. (Currently Amended) The method according to claim 11, wherein ~~characterized in that~~ information on at least one of the time and ~~and/or~~ place of the delivery of the mail (7) is stored in the electronic intermediate carrier (2).

14. (Currently Amended) The method according to claim 1, including visualizing ~~any of the previous claims, characterized in that~~ information in connection with the data record ~~is visualized~~ on the intermediate carrier (2).

15. (Currently Amended) The method according to claim 1, including fastening ~~any of the previous claims, characterized in that~~ the intermediate carrier (2) ~~is fastened~~ detachably to an object (21).

16. (Currently Amended) The method according to claim 1, including transmitting ~~any of the previous claims, characterized in that~~ the functionality required for transmitting a data record from the personal means of payment (4) or a personal device (8) to the intermediate carrier (2) ~~is transmitted from the intermediate carrier (2) to the personal means of payment (4) or the personal device (8).~~

17. (Currently Amended) A system for cashless processing of a transaction for paying for a service, comprising ~~having~~ a personal electronic means of payment (1, 12) of an owner, an impersonal electronic intermediate carrier arranged (2) ~~formed~~ to be physically separate from the personal electronic means of payment (1, 12), and a receiving device (3) of a payee, wherein ~~characterized in that~~ the personal electronic means of payment (4) is arranged to ~~formed so that it can~~ transmit a data record assigned to the service directly to the electronic intermediate carrier (2), or a personal device (8) of the owner is provided for transmitting the data record from the personal electronic means of payment (12) to the electronic intermediate carrier (2), and the receiving device (3) is arranged ~~formed~~ to check the data record as to whether it renders the service correctly.

18. (Currently Amended) The system according to claim 17, wherein ~~characterized in that~~ the electronic intermediate carrier (2) is formed as a transponder.

19. (Currently Amended) The system according to claim 17, wherein ~~characterized~~

~~in that~~ the electronic intermediate carrier (2) is set up for repeated transmission of data records.

20. (Currently Amended) The system according to claim 17, wherein ~~characterized in that~~ the functionality required for transmitting a data record from the personal means of payment (1) or a personal device (8) to the intermediate carrier (2) is stored as an application on the electronic intermediate carrier (2) ~~on the intermediate carrier (2)~~.

21. (Currently Amended) The system according to claim 17, wherein ~~characterized in that~~ the electronic intermediate carrier (2) has a display device (22) for visualizing information in connection with a data record.

22. (Currently Amended) The system according to claim 17, wherein ~~characterized in that~~ the personal device (8) is an intelligent device having a reading device (13) for near field communication with a transponder (2).

23. (Currently Amended) The system according to claim 17, wherein ~~characterized in that~~ the intelligent device (8) is a mobile telephone.

24. (Currently Amended) The system according to ~~one of~~ claim 17, wherein ~~characterized in that~~ the personal electronic means of payment (1, 12) is formed as a chip card, ~~in particular as an electronic purse~~, or as a security module of a mobile telephone (8).

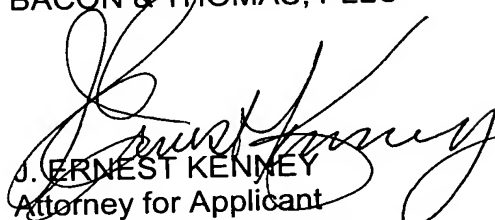
25. (Currently Amended) The system according to claim 17, wherein ~~characterized in that~~ the receiving device (3) has a checking device (31) as well as at least one additional component (32, 35) which provides reference information for checking a data record.

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Preliminary Amendment

**REMARKS**

Examination of the application as-amended is respectfully requested.

Respectfully submitted,  
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